

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64390 of 2019

Arising Out of PS. Case No.-205 Year-2018 Thana- AKBARPUR District- Nawada

1. SHANKAR YADAV @ SHANKAR PRASAD S/o Sato Prasad Resident of Village- Bala Bigha, P.S.- Akbarpur, District- Nawada.
2. Gopal Prasad S/o Sato Prasad Resident of Village- Bala Bigha, P.S.- Akbarpur, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad
For the Opposite Party/s : Mr. Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 3 06-12-2019 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Akbarpur P.S. Case No. 205 of 2018 registered for the offence punishable under Sections 302 and 201/34 of the Indian Penal Code.

The allegation is regarding the wife of the deceased having lodged an FIR alleging therein that while she was going to her Naihar on the eve of Rakhi, she got information that her husband has been killed and when she returned back, she found that the accused persons had taken the dead body of her husband



for cremation.

The learned counsel for the petitioners submits that a bare perusal of the case diary would show that the witnesses have deposed before the police that some quarrel had taken place in between the informant and the deceased, resulting in the informant having left her matrimonial home to go to her Naihar, however, at that moment, the deceased had told her that if she goes to her Naihar, he will commit suicide. It is further submitted that there is ample material in the case diary to the effect that the deceased had committed suicide by consuming celphos and when he was found lying unconscious in the village, he was taken by the villagers to a private Doctor and then to a hospital from where he was referred to the Sadar Hospital but the husband of the informant died on the way. It is further submitted by the learned counsel for the petitioners that there is no foul play, as has been alleged by the informant and the petitioners are innocent as also they are having a clean antecedent. Lastly, it is submitted that the petitioners are ready to abide by whatsoever conditions as may be deemed fit and proper to be imposed upon them by this Court.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioners on



regular bail.

Accordingly, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Nawada in connection with Akbarpur P.S. Case No. 205 of 2018.

It is further directed that the petitioners would mark their attendance before the Officer-in-Charge of the concerned police station at 10:30 am. on each Monday of the week and in the event of two consecutive defaults, the present privilege of the anticipatory bail shall stand cancelled automatically.

(Mohit Kumar Shah, J)

ajay gupta/-

U		T	
---	--	---	--

